

CLOSED

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**U.S. District Court  
Eastern District of TEXAS [LIVE] (Sherman)  
CRIMINAL DOCKET FOR CASE #: 4:22-mj-00414-KPJ-1**

Case title: USA v. Cotton

Date Filed: 07/13/2022

Other court case number: 3:15-cr-68-K(1) Northern District  
of Texas (Dallas)

Date Terminated: 07/15/2022

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Assigned to: Magistrate Judge  
Kimberly C Priest Johnson

**Defendant (1)**

**Dewayne Michael Cotton**  
*TERMINATED: 07/15/2022*

represented by **Brian George O'Shea**  
Office of the Federal Defender – Eastern District  
(Frisco)  
7460 Warren Parkway  
Suite 270  
Frisco, TX 75070  
469-362-8506  
Fax: 469-362-6010  
Email: [brian\\_oshea@fd.org](mailto:brian_oshea@fd.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Public Defender or Community  
Defender Appointment*

**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

**Disposition**

OD PTR Violation Petition NDTX

**Plaintiff****USA**

represented by **Stevan Adam Buys**  
 U. S. Attorney's Office–Sherman  
 600 East Taylor  
 Suite 2000  
 Sherman, TX 75090  
 903/868–9454  
 Fax: 903/892–2792  
 Email: [stevan.buys@usdoj.gov](mailto:stevan.buys@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**  
*Designation: Assistant US Attorney*

Date Filed	#	Page	Docket Text
07/13/2022			Arrest of Dewayne Michael Cotton. (jwam, ) (Entered: 07/13/2022)
07/13/2022			NOTICE OF HEARING as to Dewayne Michael Cotton Initial Appearance on Revocation Proceedings (NDTX Petition) set for 7/14/2022 09:30 AM in Ctrm 108 (Plano) before Magistrate Judge Kimberly C Priest Johnson. (jwam, ) (Entered: 07/13/2022)
07/14/2022	<u>2</u>		Minute Entry for proceedings held before Magistrate Judge Kimberly C Priest Johnson:Initial Appearance re Violation of Supervised Release as to Dewayne Michael Cotton held on 7/14/2022. Added FPD attorney Brian George O'Shea for Dewayne Michael Cotton. Defendant remanded to USM custody. (Court Reporter Digital Recording.) (rpc, ) (Entered: 07/18/2022)
07/14/2022	<u>3</u>		SEALED CJA 23 Financial Affidavit by Dewayne Michael Cotton (rpc, ) (Entered: 07/18/2022)
07/14/2022	<u>5</u>		WAIVER of Rule 32.1 Hearing by Dewayne Michael Cotton (rpc, ) (Entered: 07/18/2022)
07/14/2022	<u>6</u>		COMMITMENT TO ANOTHER DISTRICT as to Dewayne Michael Cotton. Defendant committed to District of Northern District of Texas, case number 3:15cr68. Signed by Magistrate Judge Kimberly C Priest Johnson on 7/14/2022. (rpc, ) (Entered: 07/18/2022)
07/15/2022	<u>4</u>		ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Dewayne Michael Cotton. Signed by Magistrate Judge Kimberly C Priest Johnson on 7/15/2022. (rpc, ) (Entered: 07/18/2022)

DATE:	7/14/2022
LOCATION:	Plano
JUDGE:	Kimberly C. Priest Johnson
DEP. CLERK:	Jane Amerson
RPTR/ECRO:	Digital Recording
USPO:	T. Routh
INTERPRETER:	N/A
BEGIN/END:	10:38 - 10:40
TOTAL TIME:	2 minutes

CASE NUMBER 4:22-MJ-00414-KPJ

USA v. Dewayne Michael Cotton

Stevan Buys  
AUSA

Brian O'Shea  
Defense Attorney

☒ INITIAL APPEARANCE VIOLATION OF SUPERVISED RELEASE

☐ ARRAIGNMENT

☐ DETENTION HEARING

☐ PRELIMINARY HEARING

☐ STATUS CONFERENCE

☐ Hearing Held ☒ Hearing Called ☒ Defendant Sworn ☐ Interpreter Required

☒ Date of arrest: 7/13/2022 - 3:15CR068 K (1) (Other district court & case #)

☒ Defendant ☐ advised of charges ☐ advised of maximum penalties ☐ waived reading of indictment  
allegations

☐ Defendant first appearance with counsel Attorney: \_\_\_\_\_

☐ Defendant advises the Court that they ☐ have counsel who is \_\_\_\_\_

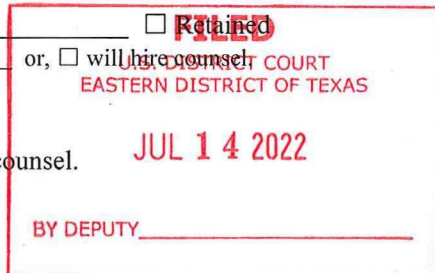
☐ Financial affidavit executed by dft.

☒ Defendant requests appointed counsel, is sworn and examined re: financial status.

☒ The court finds the defendant is ☐ able to employ counsel ☒ unable to employ counsel.

☐ \_\_\_\_\_ CJA appointed

☒ Brian O'Shea FPD appointed



☐ USA ORAL motion for detention

☐ USA ORAL motion to continue ☐ Oral Order granting continuance ☐ Oral Order denying continuance

☐ Defendant ORAL motion to continue detention hearing

☐ Oral Order granting continuance ☐ Oral Order denying continuance

☐ Detention hearing set \_\_\_\_\_

☐ Arraignment set \_\_\_\_\_

☐ Detention Hearing waived.

☐ Defendant detained based on signed Waiver.

☐ Preliminary Hearing waived.

☐ Court found Probable Cause based on signed Waiver.

☐ Defendant signed Waiver of Rule 5 and 5.1 hearings: ☐ waives identity hearing; ☐ waives preliminary hearing; ☐ waives detention hearing; ☐ waives all hearings but requests hearings be held in prosecuting district.

☒ Defendant signed Waiver of Rule 32.1 hearing: ☐ waives identity hearing; ☐ waives preliminary hearing; ☐ waives detention hearing; ☒ waives all hearings but requests hearings be held in prosecuting district.

☒ Defendant remanded to custody of U.S. Marshal ☐ Defendant ordered removed to Originating District

☐ Order setting conditions of release ☐ PR Bond executed

☐ Defendant failed to appear ☐ oral order for arrest warrant ☐ bond forfeited

☒ See reverse/attached for additional proceedings

**DETENTION**

- ☐ Government witnesses:
- ☐ Defendant witnesses:

**PROCEEDINGS:**

Court ordered Defendant    DETAINED ☐ RELEASED

- ☐ Conditions of Release entered
- ☒ Defendant remanded to USM.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION



UNITED STATES OF AMERICA

v.

DEWAYNE MICHAEL COTTON

§  
§  
§  
§  
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§  
§

CASE NUMBER 4:22-MJ-00414-KPJ

**ORDER**

Because the above-named defendant has testified under oath or has otherwise satisfied this court that he (1) is financially unable to employ counsel, and (2) does not wish to waive counsel, and because the interests of justice so require, the Federal Public Defender is appointed to represent this person in the above-designated case.

The appointment shall remain in effect until terminated or a substitute attorney is appointed.

So ORDERED and SIGNED this 15th day of July, 2022.

A handwritten signature in black ink, appearing to read "K. Priest Johnson".

KIMBERLY C. PRIEST JOHNSON  
UNITED STATES MAGISTRATE JUDGE



UNITED STATES DISTRICT COURT

for the  
Eastern District of Texas

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

**JUL 14 2022**

BY DEPUTY \_\_\_\_\_

United States of America )

v. )

Case No. 4:22mj414 KPJ

Dewayne Michael Cotton )

Charging District's Case No. 3:15cr068 K(1)

*Defendant*

**WAIVER OF RULE 32.1 HEARING  
(Violation of Probation or Supervised Release)**

I understand that I have been charged with violating the conditions of probation or supervised release in a case pending in another district, the *(name of other court)* Northern District of Texas.

I have been informed of the charges and of my rights to:

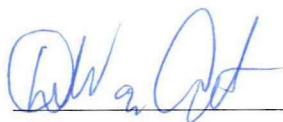
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of certified copies of the judgment, warrant, and warrant application, or reliable electronic copies of them if the violation is alleged to have occurred in another district;
- (4) a preliminary hearing to determine whether there is probable cause to believe a violation occurred if I will be held in custody, and my right to have this hearing in this district if the violation is alleged to have occurred in this district; and
- (5) a hearing on the government's motion for my detention in which I have the burden to establish my eligibility for release from custody.

I agree to waive my right(s) to:

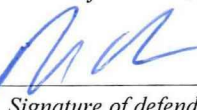
- ☐ an identity hearing and production of the judgment, warrant, and warrant application.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

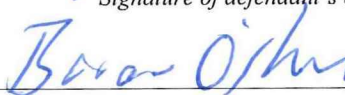
Date: Jul 14, 2022



*Defendant's signature*



*Signature of defendant's attorney*



*Printed name of defendant's attorney*

AO 94 (Rev. 01/09) Commitment to Another District

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

United States of America

v.

Dewayne Michel Cotton

*Defendant*

Case No. 4:22mj414 KPJ

Charging District's

Case No. 3:15cr068 K

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
JUL 14 2022

BY DEPUTY \_\_\_\_\_

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the Northern District of Texas.

The defendant may need an interpreter for this language: \_\_\_\_\_.

The defendant: will retain an attorney.  
is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

**IT IS ORDERED:** The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date: July 14, 2022



*Judge's signature*

Kimberly C. Priest Johnson, U. S. Magistrate Judge

*Printed name and title*